

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANTHONY CESSNA,
Petitioner

v.

JOHN WETZEL, VINCENT MOONEY,
and PENNSYLVANIA ATTORNEY
GENERAL,
Respondents

: No. 3:13cv1680
:
: (Judge Munley)
:
:
:
:

ORDER

AND NOW, to wit, this 2nd day of June 2016, Anthony Cessna's petition for writ of habeas corpus (Doc. 1) is **GRANTED** and his mandatory life-sentence is **VACATED**.

The Clerk of Court is directed to remand this case to the Court of Common Pleas of Lebanon County, Pennsylvania for resentencing in accordance with Miller v. Alabama, 132 S. Ct. 2455 (2012) and Montgomery v. La., 136 S. Ct. 718, (2016). Petitioner shall be released from prison unless the Commonwealth of Pennsylvania, within ninety (90) days from the date of this order, commences resentencing proceedings consistent with the Supreme Court decisions discussed above.¹ The

¹ This ninety (90) day time limit may be moot as it appears from the status report that Commonwealth is already moving forward with

Clerk of Court is further directed to close the case in this court.

BY THE COURT:

s/ James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court

resentencing. (Doc. 21).